

## Remarks/Arguments

This amendment is filed in response to the office action dated 07/13/2004 in which certain pending claims of the application were rejected and the action was made final by the Examiner. A Request for Continuing Examination is filed concurrently herewith including payment of appropriate fees.

The Examiner has rejected claim 42 under 35 USC 112. Claim 42 has been amended to clarify the packetization of digital data by the code for the media streaming subsystem. It is believed that claim 42 is now internally consistent and consistent with the disclosure of FIG. 7 and the specification description at page 14 lines 9 – 20. The applicants respectfully contend that the Examiner's rejection has been overcome by the amendment.

The present invention provides a distributed solution for IP based multimedia distribution both in real time and time-shifted formats in combination with providing voice transmission capability and unified data services. A content creator subsystem and a media streaming subsystem each comprised of a plurality of individual units provides distributed capability and expandability. Interconnection of the units in each of the subsystems to other subsystems uses switches to allow flexible communication between various ones of the units. For example, communication between the individual media creation units and the media streaming subsystem and the individual media streaming engines, the storage subsystem and one of multiple users, enhances the media throughput through parallel paths, as shown in FIGs. 2 and 3 and described in the text of the specification at page 10, lines 21 – 29 and lines 11-15 respectively. To further accommodate the distributed elements of the system, the output subsystem employs Switch Engine Modules (SEM), Routing Engine Modules (REM) and Packet Engine Modules (PEM) for control of output from the various system elements in non-blocking packet forwarding applications as described on page 14 line 21 through page 18 line 16 with respect to FIG. 8. The overall architecture of the invention allows each of the subsystems to be scaled according to data volume, user volume and other system variables by selecting the number of media creation units present in the media creator subsystem and, separately, the number of individual media streaming engines in the media streaming subsystem while the output system enhances the switching capability for

output from the various elements in non-blocking fashion while maintaining the capability for simultaneous vocoding and transmission of voice signals as well as transmission of unified data services.

Independent claims 1, 8, 18, 25, 35, 42, 52 and 53 have been amended to clarify the elements and combination of the present invention.

The Examiner has rejected claims 1-5, 7-11, 13-16, 18-22, 24-28 30-33, 35-39, 41-45, 47-50 and 53 based on Son et al in view of Ferguson, Graber et al., and DeFreese. In view of the amendments to the independent claims, the Examiner's rejection is respectfully traversed. Son et al. does not disclose the distributed nature and capability of the present invention. The Examiner relies on Ferguson as teaching the use of multiple processors for large loads of data. However, Son et al and Ferguson do not disclose or suggest the distributed capability of the present invention for all aspects of the transfer process from creation to output. Further, none of the cited art discloses a distributed system capable of multimedia transmission in combination with voice and data capability.

The Examiner's reliance on Graber and DeFreese for disclosure of additional elements of the invention is also respectfully traversed. Both Graber and DeFreese describe dedicated video distribution systems that provide no disclosure or suggestion for combination with distributed elements capable of standard unified data services and particularly voice capability. In a subsequent rejection of claims 12, 29 and 46, the Examiner references Hodge as disclosing combined telephone service in a CATV network. However, as previously discussed, the present invention as described and claimed provides distributed capability with multiple output routing elements for seamless integration of the voice and multimedia services which are not disclosed or suggested by Hodge.

The Examiner notes that DeFreese discloses a "gateway" independent of the network form. The applicants respectfully contend that this disclosure of a gateway does not disclose or suggest the elements of the output system employed in the structure of the present invention as claimed.

The applicant's respectfully contend that the independent claims 1, 18 and 35 and 8, 25 and 42 as currently amended overcome the Examiner's rejections and are now

allowable. The Examiner's rejections of the dependent claims 2, 19 and 36; 3-5, 20-22 and 37-39; 7, 24 and 41; 14, 16, 31, 33, 48 and 50; 15, 32 and 49; 9, 26 and 43; 10, 27 and 44; 11, 28 and 45; 13, 30 and 47 are respectfully traversed in view of the underlying non-obvious structure of the elements present in the independent claims on which the elements of the dependent claims are added as further limitation.

With respect to the Examiner's rejection of claims 6, 23 and 40, the applicants respectfully contend that the addition of Dogan does not disclose or suggest the basic elements present in the independent claims on which these claims depend and these dependent claims are therefore allowable based on the argument presented above.

Claims 12, 29 and 46 have been amended for consistency with the amendments to the claims from which they depend. The applicants respectfully contend that the addition of Hodge does not disclose or suggest the basic elements present in the independent claims on which these claims depend and these dependent claims are therefore allowable based on the argument presented above.

With regard to the Examiner's rejection of claims 17, 34 and 51, applicants respectfully contend that St. Arnaud et al. does not add further disclosure to the previously cited prior art with respect to the underlying elements of the independent claims and believe that these claims are allowable based on the argument presented above.

The Examiner's rejection of claim 52 is respectfully traversed in view of the amendment thereto based on the arguments presented above for the capability of the present invention to not only provide multiple video streams with several formats but voice and data services as well.

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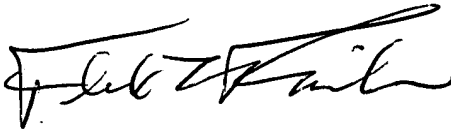
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The applicants believe that all claims now pending in the application as amended are in condition for allowance and action by the Examiner in that regard is respectfully requested.

Respectfully submitted,



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